

## Article - Natural Resources

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§3–303.1.

(a) The Department, in consultation with the Department of Agriculture, shall designate a solar generation facility as pollinator–friendly if the solar generation facility meets the requirements of this section.

(b) The Department shall adopt a Solar Site Pollinator Habitat Planning and Assessment scorecard that:

- (1) Has been recommended by the University of Maryland bee lab;
- (2) May be updated or amended only once every 2 years; and
- (3) Applies only to solar generation facilities.

(c) (1) A solar generation facility may be designated as pollinator–friendly only by the Department.

(2) A solar generation facility may be designated by the Department as pollinator–friendly if:

(i) The solar generation facility:

1. Is ground–mounted;
2. Is at least 1 acre in size; and

3. Meets or exceeds the minimum score identified in the Solar Site Pollinator Habitat Planning and Assessment scorecard; and

(ii) The land on which the solar generation facility is located is planted and managed in accordance with a pollinator–friendly vegetation management standard or pollinator habitat plan evaluated under § 3–303(b)(9) of this subtitle by the power plant research program.

(d) The owner of a solar generation facility may not claim that the facility is pollinator–friendly or that the facility provides benefits to pollinators, song birds, or game birds unless the facility has been designated as pollinator–friendly by the Department in accordance with this section.

(e) The owner of a pollinator–friendly solar generation facility shall provide appropriate maintenance of the pollinator vegetation.

(f) The owner of a pollinator–friendly solar generation facility shall make the facility’s pollinator–friendly vegetation management standard or pollinator habitat plan evaluated under § 3–303(b)(9) of this subtitle by the power plant research program available to the Maryland, DC, and Virginia Solar Energy Industries Association or other nonprofit solar industry trade associations.

(g) Nothing in this section restricts any farming practices on any land adjacent to the land on which a solar generation facility is located.

(h) The Department may charge the owner of a solar generation facility a reasonable fee to cover costs associated with designating the solar generation facility as pollinator–friendly.

(i) The Department shall adopt regulations to carry out this section.

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